

FORM TO BE USED BY A PRISONER IN FILING A CIVIL RIGHTS COMPLAINT
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEW JERSEY

Buchee' Roundtree

COMPLAINT

(Enter above the full name of the plaintiff in this action)

v.
Paterson Police
Department

Civil Action No. _____

(To be supplied by the Clerk of the Court)

(Enter the full name of the defendant or defendants in this action)

INSTRUCTIONS; READ CAREFULLY

1. This complaint must be legibly handwritten or typewritten, signed by the plaintiff and subscribed to under penalty of perjury as being true and correct. All questions must be answered concisely in the proper space on the form. Where more space is needed to answer any question, attach a separate sheet.
2. In accordance with Rule 8 of the Federal Rules of Civil Procedure, the complaint should contain (1) a short and plain statement of the grounds upon which the court's jurisdiction depends, (2) a short plain statement of the claim showing that you are entitled to relief, and (3) a demand for judgment for the relief which you seek.
3. You must provide the full name of each defendant or defendants and where they can be found.
4. You must send the original and one copy of the complaint to the Clerk of the District Court. You must also send one additional copy of the complaint for each defendant to the Clerk. Do not send the complaint directly to the defendants.
5. Upon receipt of a fee of \$400.00 (a filing fee of \$350.00, and an administrative fee of \$50.00), your complaint will be filed. You will be responsible for service of a separate summons and copy of the complaint on each defendant. See Rule 4, Federal Rule of Civil Procedure.

6. If you cannot prepay the \$400.00 fee, you may request permission to proceed in forma pauperis in accordance with the procedures set forth in the application to proceed in forma pauperis. See 28 U.S.C. §1915. (If there is more than one plaintiff, each plaintiff must separately request permission to proceed in forma pauperis.)

7. If you are given permission to proceed in forma pauperis, the \$50.00 Administrative Fee will not be assessed. The Clerk will prepare and issue a copy of the summons for each defendant. The copies of summonses and the copies of the complaint which you have submitted will be forwarded by the Clerk to the United States Marshal, who is responsible for service. The Marshal has USM-285 forms you must complete so that the Marshal can locate and serve each defendant. If the forms are sent to you, you must complete them in full and return the forms to the Marshal.

QUESTIONS TO BE ANSWERED

1a. Jurisdiction is asserted pursuant to (CHECK ONE)

☒ 42 U.S.C. §1983 (applies to state prisoners)

☐ Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal prisoners)

If you want to assert jurisdiction under different or additional statutes, list these below:

1b. Indicate whether you are a prisoner or other confined person as follows:

☒ Pretrial detainee

☐ Civilly-committed detainee

☐ Immigration detainee

☐ Convicted and sentenced state prisoner

☐ Convicted and sentenced federal prisoner

☐ Other: (please explain) _____

2. Previously Dismissed Federal Civil Actions or Appeals

If you are proceeding in forma pauperis, list each civil action or appeal you have brought in a federal court while you were incarcerated or detained in any facility, that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted. Please note that a prisoner who has on three or more prior occasions, while detained in any facility, brought an action or appeal in a federal court that was dismissed as frivolous or malicious, or for failure to state a claim upon which relief may be granted, will be denied in forma pauperis status unless that prisoner is under imminent danger of serious physical injury. See 28 U.S.C. § 1915(g).

a. Parties to previous lawsuit:

Plaintiff(s): _____

Defendant(s): _____

b. Court and docket number: _____

- c. Grounds for dismissal: ☐ frivolous ☐ malicious
☐ failure to state a claim upon which relief may be granted

d. Approximate date of filing lawsuit: _____

e. Approximate date of disposition: _____

If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on separate sheets.

3. Place of Present Confinement? _____

4. Parties

(In item (a) below, place your name in the first blank and place your present address in the second blank. Do the same for additional Plaintiffs, if any.)

a. Name of plaintiff:

Buchee' W. Roundtree

Address:

11 Marshall St. (Paterson, NJ. 07501)

Inmate#:

00217308

b. First defendant:

Name:

Eudy Ramos

Official position:

Police Officer

Place of employment:

Paterson Police Department

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Violated (Fourth Amendment Right)
Wrongful imprisonment
Defamation of Character AND
Aggravated Assaulted me!

c. Second defendant:

Name:

Richard Ramos

Official position:

Police Officer

Place of employment:

Paterson Police Department

How is this person involved in the case?

(i.e., what are you alleging that this person did or did not do that violated your constitutional rights?)

Violated (Fourth Amendment Right)
Wrongful imprisonment
Defamation of Character AND
Aggravated Assaulted me

d. If there are more than two defendants, attach a separate sheet. For each defendant specify: (1) name, (2) official position, (3) place of employment, and (4) involvement of the defendant.

5. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in the Statement of Claims on page 6.

☒ Yes ☐ No

If your answer is "Yes," briefly describe the steps taken, including how relief was sought, from whom you sought relief, and the results.

I WAS SWORN IN THE "PATERSON POLICE DEPARTMENT" AT 111 BROADWAY PATERSON, NJ. TO FILE CHARGES AGAINST DEFENDANTS, BUT I HAVE NOT HEARD ANYTHING FURTHER

If your answer is "No," briefly explain why administrative remedies were not exhausted.

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

*ON THE DAY OF MARCH 17, 2016
ENDY RAMOS AGGRAVATED ASSAULTED ME AND
VIOLATED MY (FOURTH AMENDMENT RIGHT). I
WAS PUT IN THE BACK OF A POLICE CAR
AFTER NARCOTICS WERE PLACED ON MY
PERSONS ALONG WITH A HANDGUN. BRUTALLY
BEATEN AND MASED (SPRAYED WITH PEPPER SPRAY)*

On March 17, 2016, Officer Richard Ramos Aggravated Assaulted me along with Partners and Violated my (Fourth Amendment Right).

On March 17, 2016, Officer ~~JOHN~~ NATHAN BUSTIOS. Aggravated Assaulted me and Violated my (Fourth Amendment Right).

On March 17, 2016, Officer L. Sanchez Aggravated Assaulted me along with Partners and Violated my (Fourth Amendment Right).

On March 17, 2016, Officer Mathew Torres Aggravated Assaulted me along with Partners and Violated my (Fourth Amendment Right).

All the above officers participated that Day/Night together in the offense on me.

All the above said Officers beginning with Eddy Ramos All committed the same offense that day/night on March 17, 2016 Against me and all accusations made there by me are rightfully true.

7. Relief

(State briefly exactly what you want the Court to do for you. Make no legal arguments. Cite no cases or statutes.)

I want the courts to give me the relief/Justice I seek from them. And the Reimbursement of my \$125,000.00 Bail. Along with Pain and Suffering.

Mental Anguish, Defamation of
Character Along with loss of Private
Business.

8. Do you request a jury or non-jury trial? (Check only one)

() Jury Trial (X) Non-Jury Trial

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 19 day of MARCH, 2019

Bubee Rountree

Signature of plaintiff*

(*EACH PLAINTIFF NAMED IN THE COMPLAINT MUST SIGN THE COMPLAINT
HERE. ADD ADDITIONAL LINES IF THERE IS MORE THAN ONE PLAINTIFF.
REMEMBER, EACH PLAINTIFF MUST SIGN THE COMPLAINT).